

FILED

August 14, 2020

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: lad
DEPUTY

Attachment 1 - Civil Complaint

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
Waco DIVISION**

Baochong B. Chang

(Enter your full name)
Plaintiff(s)

Baochong B. Chang

CASE NUMBER: _____
(Supplied by Clerk's Office)

Hailloo Precise Manufactory, Inc., a company owned by Baochong B. Chang

(Enter full name of each Defendant)
Defendant(s)

Agricultural Bank of China Ltd.,
277 Park Ave., New York, NY 10172 (30th Floor)
Tel: (212) 888-8998

COMPLAINT

First Paragraph (Name and Address of Plaintiff)

Second Paragraph (Name and Address(es) of Defendant(s))

Third Paragraph (Jurisdiction Plea)

Fourth Paragraph (Allegation 1)

Fifth Paragraph (Allegation 2) ...

The final paragraph should contain a statement of the relief you are seeking. This paragraph should not be numbered.



08/10/2020

Signature

Name (Typed or Printed) Baochong B. Chang

Address 3420 Pine Ave. WACO, TX 76708-3130

Telephone Number 254-400-3771

The United States District Court
Western District of Texas, Waco Division

PLAINTIFF:	§	Case Number:
Baochong B. Chang	§	
Hailloo Precise Manufactory (Jiangsu), Inc.	§	Request for a Grand Jury
	§	
DEFENDANT	§	
Agricultural Bank of China Ltd.	§	

Plaintiff Baochong B. Chang is an U.S. citizen and resident of McLennan County, Texas with a business address at 3420 Pine Ave, Waco, TX 76708-3130. Tel: (254) 400-3771, Email: b_chang@dr.com.

Defendant Agricultural Bank of China Ltd. (ABC) is a state-owned commercial bank headquartered in Beijing, China. It has a branch operating at 277 Park Avenue, 30th Floor, New York, NY 10172, Tel: (212) 888-8998, Website: www.us.abcchina.com.

JURISDICTION: 18 U.S. CODE 1005 AND 656

The United States District Court Western District of Texas Waco Division has jurisdiction on this case per 18 U.S. Code 1005 regarding Crimes and Criminal Procedure of Bank Entries, Reports and Transactions, as well as 18 U.S. Code 656 regarding Theft, Embezzlement, or Misapplication by Bank Officer or Employee.

FACTS OF DISPUTE

On March 6, 2008, Plaintiff received an approval from Jiangsu Province People's Government to form a wholly owned incorporation "Hailloo Precise Manufactory (Jiangsu), Inc.", a Foreign Direct Investment (FDI) company. It's physically located in Dongtai, Jiangsu Province, China.

On March 7, 2008, Plaintiff received the FDI registration Number (#32098108006) and open-account permit from the State-Administration for Foreign Exchange (SAFE) of China. Plaintiff then opened a registered capital account (#10420214040002221) at Defendant's Jiangsu Branch, Dongtai Sub-Branch. Plaintiff also received a faxed instruction about how to remit fund through the SWIFT wiring from USA to Defendant's headquarter in Beijing, China.

From March 10, 2008 to December 23, 2009, Plaintiff wired 5 times for total US\$2,138,359.78 and a check in amount of \$66,060.00 from local banks in Waco, Texas to HPMI Account #10420214040002221. The total amount was \$2,204,419.78. Plaintiff never withdrawn or authorized anyone to withdraw the registered capital on this account.

On May 4, 2013, Plaintiff came to Defendant's Jiangsu Branch, Dongtai Sub-Branch to withdraw some U.S. Dollar. The Defendant's Department of International Business manager Ms. Dongqin Zhai told Plaintiff: "All your registered capital was intact, but our computer and printer were broken today". Three days later, Plaintiff called the Defendant, another account officer told Plaintiff that the HPM account balance was only \$10,694.82 and the rest were withdrawn long time ago. Defendant and its officers/employees stole Plaintiff's US\$2.2 million.

PLAINTIFF'S PLEAD

Plaintiffs plead this court to order the Defendant to return original deposit of US\$2.2 Million, cost of this court proceeding, interest of compound rate 9% per year, plus Plaintiff's cost of account investigation, attorney service fees, court fees, traveling and accommodation expenditures in China, Plaintiff's personal time and effort loss on this case. The estimated plead amount will be ~\$10 million. The allegations are summarized as the following:

Allegation #1

Defendant fabricated non-existing business contract and forged Plaintiff's signature on all applications, authorizations, document and financial transactions.

Allegation #2

Defendant counterfeited Plaintiff's HPMI corporation seal one month before the company was formed and registered on March 6, 2008.

Allegation #3

Defendant stolen Plaintiff's HPMI registered capital for total \$2,201,023.94 in 6 withdrawals. They were all fraudulently transferred from HPMI account (#10420214040002221) to the Client Entrusted Account of Defendant for sale. The exchanged local currency Renminbi (RMB) ¥15 never returned to Plaintiff's account.

Allegation #4

Defendant “sold” Plaintiff’s US\$2,201,023.94 registered capital to the Buyer, who are other state-owned banks, and then “laundered” them as the registered capital of other domestic companies and “fabricated” them as Foreign Direct Investment (FDI) companies. Defendant made a profit through the above illegal operation and gave its officers bonus.

Allegation #5

Defendant violated laws and codes of China and the United States. Each of six theft-transactions should go through the following steps: accepting application, inspecting and auditing the business contracts, surveillance of legitimate usage, approval and transaction. Each step should be performed by different officers. However, the signature on the records shown they were often signed by the department manager Ms. Dongqin Zhai, the officer who lied to me about broken computer and printer.

Allegation #6

Defendant conducted wiring fraud and deliberately faked SWIFT pathways and records from USA to China. They did so through collaboration with other banks, especially one who also has a branch in New York City. The evidences are ready to submit to U.S. law enforcement authorities.

Allegation #7

Plaintiff’s account balances, written by Defendant on the transaction records, never matched the actual amount that Plaintiff remitted. The largest disparity was US\$ 6.3 millions. The only explanation was that Defendant used the Plaintiff’s account for money laundry and other illegal activities.

Allegation #8

Defendant obstructed police investigation, court trial and justice through local Chinese Communist Party Secretary, who has power to shelter Defendant and give any order to law enforcement and court.

Defendant refused to disclose-document and transaction records to Plaintiff. Plaintiff had to hire private attorneys to do investigation. Plaintiff reported the theft to Dongtai Municipal Department of Public Safety. After a lengthy and reluctant investigation during 2013-2015, they refused to file a criminal case because they sheltered Defendant’s crimes.

In 2013-2016, Plaintiff reported the case to the State Administration for Foreign Exchange of China and China Banking Commission at local office, provincial branch and headquarter. They pretended to do investigation and give Plaintiff an official report. One year later, SAFE said “we will mail you an official investigation report, But plaintiff never receive it. Plaintiff had to come to SAFE headquarter in Beijing three times to ask for this report. In the last time, they asked Plaintiff to get “The Investigation Report” from the Defenant’s Dongtai Sub-Branch.

Defendant’s Dongtai Sub-Branch told Plaintiff that they never received such kind of report from SAFE. The state regulatory agencies and Defendant were all liars. Defendant never punished the wrong-doing officer, but promoted Ms. Dongqin Zhai from department manager to Vice General Manager of the Defendant’s Dongtai Sub-Branch.

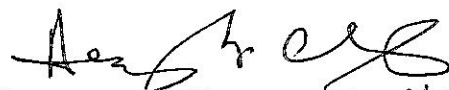
Plaintiff filed lawsuit against Defendant at the Dongtai People’s Court in 2017. The trial and verdict were absolutely jokes. Plaintiff appealed to the higher and final court in 2018. They did nothing but forced Plaintiff to pay same amount court fee as junior court.

Defendant is one of four state-owned banks with total assets over US\$3 trillion. Plaintiff couldn’t get any justice and fair treatment in China and wish this court will hold Defendant accountable. Plaintiff will cooperate with US federal agencies to investigate and prosecute Defendant.

Certification of Services

This Petition will be mailed to Defendant immediately by a USPS certified mail with return receipt after filing and obtaining a case number from the US District Court Clerk’s Office, 800 Franklin Ave, Room 308, Waco, TX 76701

Signed by Plaintiff


Baochong B. Chang 08/10/2020

